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coercion or intimidation, to prevent others from entering or remaining in the service of their employer, is unlawful, *Union Pac. R. Co. v. Ruef et al.*, 120 Fed. 102; *Butterick Pub. Co. v. Typog. Union, No. 6*, 100 N. Y. Supp. 292; *Levy v. Rosenstein*, 66 N. Y. Supp. 101; but a broader and better doctrine that there may be a moral intimidation was announced by the Supreme Court of Massachusetts in *Vegelahn v. Guntner*, 167 Mass. 92; this was among the first of the judicial steps taken in this country towards overturning the rule permitting peaceable picketing and was a forerunner of the later rule that there can be no such thing as peaceable picketing and consequently, that all picketing is illegal. *Franklin Union v. People*, 220 Ill. 355; *Beck v. Railway Teamsters Protective Union*, 118 Mich. 497. Picketing will be enjoined as a continuing injury to business, notwithstanding it may be punishable as a crime, and the right to injuction against it has been based upon the ground that the aggrieved person is entitled to protection of his "probable expectancy," which is defined as the right to enjoy a free and natural condition of the labor market. *Consolidating Steel, etc., Co. v. Murray*, 80 Fed. 811; *Arthur v. Oakes*, 63 Fed. 310.

TRIAL—REMARKS OF COUNSEL—EXCEPTIONS.—PRESSY V. RHODE ISLAND Co., 67 ATL. (R. I.) 447.—*Held*, an exception does not generally lie to the remark of counsel, but to the refusal to charge the jury in regard thereto, when reasonably requested so to do.

This is rather an odd way of stating the rule which is usually put thus: "The remark must be objected to or called to the attention of the court in some way when made, or at least during the trial, that opportunity may be given to the court to prevent or correct any abuse." *Ill. v. Evanston*, 150 Ill. 616; *State v. Ward*, 61 Vt. 153; *State v. Waters*, 63 Me. 128. When no exception is taken to the remarks of counsel, and no motion is made to exclude them, objection to them will not be considered on appeal. *Nelson v. Shelby, etc., Co.*, 96 Ala. 515. If the court interferes and the objectionable remark is promptly withdrawn, the error will generally be deemed to be cured. *Dunlap v. U. S.*, 165 U. S. 486, 498. An abuse of attorney's privilege in this regard may be so flagrant as to warrant reversal, although the court and opposite counsel neglected to discharge their duty. *Klink v. People*, 16 Colo. 467. It has been held that it is error for the court to allow counsel to discuss irrelevant matter before the jury, and that this error is not cured by the failure of opposite counsel to interpose objection at the time. *Willis v. McNeill*, 57 Tex. 465; *Prather v. McClelland*, 26 S. W. (Ct. of Civ. App., Tex., 1894) 657. It has been held that it is not necessary for the counsel to present point of objection, and if he does not do so, the duty is where it properly belongs, on the judge. *Berry v. Georgia*, 10 Ga. 511.

TROVER AND CONVERSION—WHAT CONSTITUTES.—MEDINA GAS AND ELECTRIC LIGHT CO. V. BUFFALO LOAN, TRUST & SAFE DEPOSIT CO., 104 N. Y. SUPP. 625. Plaintiff corporation executed to defendant, as trustee, a mortgage to secure the payment of certain bonds, depositing the bonds with defendant. Subsequently, one of the officers of the plaintiff, who owned practically the entire stock of the corporation, agreed with the defendant that the bonds in its possession should be pledged to it for his own individual indebtedness. *Held*, that the subsequent delivery of the bonds by the defendant to another constituted a conversion by the defendant of the bonds. Scott and Laughlin, JJ., *dissenting*.

The gist of the action of conversion has been said to be the deprivation of the plaintiff's property. *Keyworth v. Hill,* 3 Barn. & Ald. 685. But it is also necessary that the bailee claim some title in himself or in a third person. *Heald v. Cary,* 11 C. B. 976. The mere wrongful asportation does not amount to a conversion unless there is an intent to convert it to one's own use or the use of a third person. *Fouldes v. Willoughby,* 8 M. & W. 540. However, the wrongful intent is not always an essential element in a conversion. It is enough if the rightful owner has been deprived of his property by some unauthorized act of another assuming control over it. *Boyce v. Brockway,* 31 N. Y. 490. It has been said that when a bailee comes into possession lawfully there is no apparent inconsistency between his possession and the plaintiff's ownership until a demand and refusal. *Pease v. Smith,* 61 N. Y. 477; *Polk's Adm'rs v. Allen,* 19 Mo. 467. But as a demand and refusal are only evidences of a conversion, if an actual conversion is proved, there is no necessity to prove a demand in order to sustain an action. *State v. Pattern,* 49 Me. 383; *Baker v. Lothrop,* 155 Mass. 376. It has been held that a mere paper sale of another's goods without transferring possession is no evidence of a conversion. *Davis v. Buffum,* 51 Me. 160. It is otherwise, however, where the defendant has the actual possession of the goods to which he asserts ownership or undertakes to sell. And it would seem, in such a case, that the conversion takes place when the defendant takes upon himself the right and assumes control of the property. *Gentry v. Madden,* 3 Ark. 127. There can be no doubt that there would be an actual conversion if the defendant wrongfully parted with possession of the property. *St. John v. O'Connell,* 7 Port. 466; *Hotchkiss v. Hunt,* 49 Me. 213.

WILLS—TESTAMENTARY CAPACITY—BELIEF IN SPIRITUALISM.—OWEN V. CRUMBAUGH, 81 N. E. (ILL.) 1044.—*Held,* that a mere belief in spiritualism is no evidence of monomania or insane delusion.

Belief in spiritualism is a conviction arising from evidence or information, *Middleditch v. Williams,* 48 L. R. A. (N. J.) 738, *Humphreys v. McCall,* 9 Cal. 62, which, if permitted to constantly occupy his mind, might have the effect of unbalancing it, *Addington v. Wilson,* 5 Md. 137, but is never insanity nor evidence of an insane delusion, *Otto v. Doty,* 61 Iowa 23; *In re Smith's Will,* 52 Wis. 543; *Lyon v. Home,* L. R. 6 Eq. 655, except when they are such beliefs as a reasonable man would not, under the circumstances, entertain, *Kimberlys' Appeal,* 68 Conn. 428, thus differing from an insane delusion, which is a pigment of the imagination, *Robinson v. Adams,* 62 Me. 369; *Am. Seamen's Friend Society v. Hopper,* 33 N. Y. 619, springing only from a diseased and morbid mind, having no foundation in reality, *Banks v. Goodfellow,* L. R. 52 B. 560; *Taylor v. Trick,* 165 Pa. 586.